

## **Purpose**

To comply with the Department of Human Resource Management Rules concerning working hours.

## **Policy**

### **WORK SCHEDULES**

1. Normal work schedules will be determined based on the needs of the Department, with consideration for employees' personal needs and desires.
2. Employees who are non-exempt from the Fair Labor Standards Act as identified by the Department of Human Resource Management, are not to work before, beyond, or outside their normal hours or are not to work overtime unless authorized. A record of all time worked is to be kept.
3. Regular work days may be shifted within the work week, however employees are to be given reasonable notice of a change in their regular work schedule. This does not apply to an employee being called to respond to an emergency situation, or where working hours need to be aligned with the working hours of contractors.
4. Employee's work schedules will need to be maintained by the operating unit, and be made available to inspection and audit by the Department, State or other regulatory agencies.

### **WORK WEEK**

The basic work week for a full-time employee consists of forty (40) working hours per week.

Where practical, an alternative work schedule for an employee may be adopted, at the sole discretion of the Group/Region Leader or designee, providing that the hours from 8:00 a.m. to 5:00 p.m., Monday through Friday, are adequately staffed where services are required. The Group/Region Leader or designee may, on a temporary or permanent basis, adjust the work schedule of individuals or units to provide adequate services.

An employees' work schedule may be either continuous or intermittent within any 24-hour day. In order to meet the demands of unforeseen emergencies and to provide services to the public, management reserves the right to require employees to work overtime.

Holidays - Eight (8) hours are allowed for holidays. A maximum of 88 hours of holiday leave will be allowed each calendar year. If an employee's regular day off falls on a holiday, the holiday leave will be granted on another equivalent work day.

The work schedule for the employee will be constant until it is changed by the Group/Region Leader or designee. There will be three (3) basic work schedules that will be at the discretion of the Group/Region Leader or designee to choose from, depending upon the work unit:

Basic eight (8) hour days and a five (5) day week.

Compressed time 4/10 plan. This plan consists of 4 - 10 hour days per week.

Compressed time 5 - 4/9 plan. This plan consists of a nine (9) hour work day; four (4) nine hour days and one (1) eight hour day in one week and four (4) nine hour days the next week.

### **BASIC EIGHT HOUR DAY**

1. Work week - Forty (40) hours per week; work week will end at 12:00 midnight, Friday.
2. Work days - Five (5) day work week; eight hours per day.  
Overtime - time worked in excess of forty (40) hours per week for FLSA non-exempt employees.)
3. Model:

S	S	M	T	W	T	F		S	S	M	T	W	T	F
		8	8	8	8	8				8	8	8	8	8

### **COMPRESSED TIME 4-10's**

1. Work week - Forty (40) hour work week; work week ends Friday 12:00 midnight.
2. Work days - Four - ten (10) hours per day.
3. Holidays - Annual leave or compensatory time would be used to make up the difference of an eight (8) hour holiday and a ten (10) hour work day. If no annual time is available, the person would be docked the difference in the time. Employees may work the additional time to make up the difference in the same work week as the holiday with approval by the employee's supervisor.
4. Model:

S	S	M	T	W	T	F		S	S	M	T	W	T	F
		10	10	10	10					10	10	10	10	

**COMPRESSED TIME 5-4/9**

1. Work week - Forty (40) hour work week; work week ends Friday, 12:00 noon.
2. Work days - The employee is scheduled to work nine hours per day on Monday, Tuesday, Wednesday, and Thursday. One Friday in a pay period the employee will have off. The other Friday the employee will work four (4) hours before noon and four (4) hours after noon. This limits the employees work time to forty (40) hours each work week.
3. Holidays - Annual leave or compensatory time would be used to make up the difference of an eight (8) hour holiday and a nine (9) hour work day. If no annual time is available, the person would be docked the difference in the time. Employees may work the additional time to make up the difference in the same work week as the holiday with approval by the employee's supervisor.
4. In order to meet FLSA regulations in regards to hours in a work week, FLSA-N employees on a 5-4/9 schedule must take Friday off, substitution of another day is not acceptable.
5. Model:

5 4/ 9's	S	S	M	T	W	T	F	5 4/ 9's	S	S	M	T	W	T	F
			9	9	9	9	4	4			9	9	9	9	

**ON-CALL TIME**

Where the nature of an employee's work requires that he/she be available for work on-call during an off work time period, on-call compensation shall accrue at a rate of one hour compensation for every twelve hours the employee is on-call.

An employee may be called out for emergencies even though the employee has not been notified as being on-call.

Credit for the on-call time shall be recorded as time eligible for compensation, but shall not be recorded as hours worked. Any time actually worked during the on-call period shall be recorded as hours worked in addition to the on-call time.

A minimum of one hour compensation shall be given when an employee is called out to work.

Conditions of on-call time:

1. The employee is to be considered to be on-call only if the manager/supervisor has specifically instructed the employee that he/she is to be available for call to duty.
2. An employee must be directed by his/her manager/supervisor, either verbally or in writing, that he/she is on call for a specified time period. Carrying a beeper or cell phone shall not constitute on call time without a specific directive from a manager/supervisor.
3. Time is considered on-call time when the employee has freedom of movement in personal matters, but must be able to respond within time limits designated by the manager/supervisor.

**TRAVEL TIME**

1. Normal commuting time from home to work and back shall not be counted towards hours worked.
2. If employees are required to meet at a specific work location prior to traveling to the work site, they are to be paid from the time they are to be at that location. If they return to that location at the end of the work period they are to be paid up to the time they arrive back at that location at the end of the work period. Employees should not be allowed an excessive amount of traveling time that is a part of the hours of work time.
3. If the employee is required to report to a work site which is farther than his/her regular commuting time he/she is to be paid for the difference.
4. Time employees spend traveling from one job site to another during the normal work schedule shall count towards hours worked.
5. Employees who travel on official state business shall be paid for time spent traveling, except for meal periods during their normal working hours of their regular working days. Employees must also be paid for time spent in traveling during normal working hours on non-working days, such as Saturday, Sunday, and holidays.

Travel time as a passenger on an airplane, train, boat, bus or other public transportation outside of regular working hours shall not be considered as hours worked.

**Background**

This policy has been developed in compliance with the Department of Human Resource Management's requirements for state agencies.

**Definitions**

FLSA            Fair Labor Standards Act

FLSA-N        Employees who are not exempt from the Fair Labor Standards Act.